Chairman Randy Bosch convened the adjourned session with Peters, Bosch, Behrens, Koedam, and Michael present. Motion carried assumes unanimous vote unless otherwise stated.

The minutes of the August 8, 2016 meeting were reviewed. Motion made by Behrens to approve minutes, seconded by Michael. Motion carried.

County Attorney Shayne Mayer was present to introduce Resolution 2016-26 in which the Board sets a public hearing date to take comments regarding the sale of the prior conservation property that was flooded in 2014 and has been vacant since.

### RESOLUTION 2016-26

### RESOLUTION TO SELL REAL PROPERTY AND SET HEARING

WHEREAS, the Lyon County owns the following real property, located in Rock Rapids, Iowa and specifically described as:

Lots Five (5) and Six (6), Block Five (5) of East Rock Rapids, and that part of Outlot Three (3) of East Rock Rapids, Lyon County, Iowa, described as follows:

Commencing at the Southeast Corner of Lot Five (5), Block Five (5), of said East Rock Rapids, Iowa, thence directly South to the East Bank of the Rock River, thence Northwesterly along the East Bank of said Rock River to a point directly South of the Southwest Corner of Lot Six (6), of Block Five (5), of said East Rock Rapids, thence directly North to the Southwest Corner of said Lot Six (6), Block Five (5), of East Rock Rapids, thence East along the South line of said Lots Six (6) and Five (5), of Block Five (5), of East Rock Rapids, to the point of beginning.

WHEREAS, the above property was previously used by Lyon County Conservation as an office and worksite;

WHEREAS, due to a flood event that occurred during the summer of 2014, the above property has ceased to be used by the Lyon County Conservation Department and said Department has requested permission to dispose of said real estate;

WHEREAS, due to the flood event, the existing property is currently located in a flood plain, and, due to newly passed Rock Rapids City Ordinances, the existing property will need to be renovated to comply with said ordinances, at a significant cost to either the county or a potential purchaser;

WHEREAS, the City of Rock Rapids, in conjunction with the Federal Emergency Management Agency, hereinafter referred to as "FEMA" and the Iowa Department of Homeland Security, hereinafter referred to as "DHS" have offered the County an opportunity to participate in a buyout of the above property at a predetermined sale price;

WHEREAS, the buyout by the City of Rock Rapids, in addition to the sale proceeds to the County, would include the cleanup, demolition, and removal of

hazardous waste after which said property would be transferred to the City of Rock Rapids, Lyon County, Iowa to be used as green space;

WHEREAS, the Lyon County Conservation Board has met and considered the proposal to participate in the FEMA buyout program, and having approved the above, has recommended to the Lyon County Board of Supervisors Lyon County participate in and agree to the FEMA buyout;

NOW, THEREFORE BE IT RESOLVED by the Lyon County Board of Supervisors for Lyon County, Iowa; that it is in the best interests of Lyon County and the residents thereof, to consider selling the above property.

BE IT FURTHER RESOLVED, that the Lyon County Auditor is hereby directed to publish Notice of the time and place of the Public Hearing on the proposal to sell the above property as outlined above. Publication and the Public Hearing shall be in compliance with Iowa Code Sections 331.305 and 331.361(2). The date fixed for the Public Hearing on the proposed sale, as outline above, of the above property is to be September 12, 2016 at 11:00 a.m.

BE IT FURTHER RESOLVED, that unless an objection to selling this property is raised which the Board of Supervisors determines should result in further consideration of said selling property, then immediately after the Public Hearing, the Lyon County Auditor and the Chairman of the Lyon County Board of Supervisors of Lyon County, Iowa, may be directed and empowered to execute and deliver any necessary documents to sell the property as described above.

PASSED, APPROVED, AND ADOPTED, this 22nd day of August, 2016.

ATTEST: /s/Jen Smit /s/Randy Bosch, Chairman
Lyon County Auditor Lyon County Board of Supervisors

Motion by Michael, second by Peters to approve and Chairman sign Resolution 2016-26 setting the public hearing date as September 12, 2016 at 11:00 a.m. Motion carried.

Attorney Mayer also updated the Board regarding the pending land acquisition for a secondary roads shop in Rock Rapids. Mayer has met with the City and development corp. and has found that even though neither entity would currently enforce penalties for non-compliance with covenants of the proposed land purchase, Mayer doesn't want the covenants to become an issue in the future. Due to the nature of secondary roads, the possibility of having dirt piles, extra equipment, and other random materials piled outside of the shop is very high and these are the types of items that would be in conflict with current covenants. Mayer suggested the possibility of working with the City to amend the covenants with an exemption granted to the County. The Board directed Mayer to talk with City Attorney to start conversations regarding amending city ordinances.

Lyon County Ambulance Service President Amy Borman joined the meeting to explain the squad's Lyon County Riverboat Foundation grant application. Lyon County Ambulance plans to apply for a 2017 Ford E450 Type 3 Ambulance

(\$139,400), a Stryker power load system (\$28,000), and a Lifepak 15 Defibrillator (\$22,532.40) - total application 189,532.40. The squad requests to use \$100,000 of the \$150,000 that is currently designated in the general fund for a new rig. The rest (\$89,532.40) of the cost would be a budget amendment from general fund. Borman was directed by the Board to complete the grant process and if the grant was awarded that the expenses would be approved. It was also decided that if the grant is not awarded, the squad would need to come back to the Board before going forward with the purchases of said rig and equipment.

County Treasurer Russell Hopp explained that the Wells Fargo Securities and Investment account would have an increase to its management fees from \$1,500 to \$7,500 for this next year. Hopp is recommending moving the account to Olson Heimensen Financial which will only charge a onetime fee of \$700. The account would remain intact, including interest rates, but would have a different brokerage firm. Motion by Behrens, second by Michael to move the account to Olsen Heimensen Financial. Motion carried.

The Board needs to set a public hearing date to take comments on the development agreement between the County and Cooperative Farmers Elevator.

### RESOLUTION NO. 2016-27

Resolution setting a date of meeting at which it is proposed to approve a Development Agreement with Cooperative Farmers Elevator, including tax increment payments in an amount not to exceed \$405,330.

WHEREAS, Lyon County, Iowa (the "County"), pursuant to and in strict compliance with all laws applicable to the County, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Lyon County Economic Development Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, this Board has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the County for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the County proposes to enter into an agreement (the "Development Agreement") with Cooperative Farmers Elevator (the "Coop") in connection with the development of a fertilizer plant by the Coop for use in its business operations and the construction of certain County bridge improvements; and

WHEREAS, under the Development Agreement the County would provide financial incentives to the Coop in the form of incremental property tax payments in an amount not to exceed \$405,330 under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement, pursuant to Section 403.9 of the Code of Iowa;

NOW THEREFORE, IT IS RESOLVED by the Board of Supervisors of Lyon County, Iowa, as follows:

Section 1. This Board shall meet on September 12, 2016, at 9:15 o'clock a.m., at the Lyon County Courthouse, Rock Rapids, Iowa, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the incremental property tax payments in a total amount not exceeding \$405,330.

Section 2. The County Auditor is hereby directed to give notice of the proposed action, the time when and place where the meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the County. Said notice shall be in substantially the following form:

NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT AGREEMENT WITH COOPERATIVE FARMERS ELEVATOR AND AUTHORIZATION OF TAX INCREMENT PAYMENTS

The Board of Supervisors of Lyon County, Iowa, will meet at the Lyon County Courthouse, Rock Rapids, Iowa, on September 12, 2016, at 9:15 o'clock a.m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement between the County and Cooperative Farmers Elevator (the "Coop") in connection with the development of a fertilizer plant by the Coop for use in its business operations and the construction of certain County bridge improvements in the Lyon County Economic Development Urban Renewal Area, which Agreement provides for certain financial incentives to the Coop in the form of incremental property tax payments in a total amount not exceeding \$405,330, as authorized by Section 403.9 of the Code of Iowa.

The Agreement to make incremental property tax payments to the Coop will not be a general obligation of the County, but will be payable solely and only from incremental property tax revenues generated within the Lyon County Economic Development Urban Renewal Area.

At the meeting, the Board will receive oral or written objections from any resident or property owner of the County. Thereafter, the Board may, at the meeting or at an adjournment thereof, take additional action to approve the Development Agreement or may abandon the proposal.

This notice is given by order of the Board of Supervisors of Lyon County, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Jen Smit County Auditor

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved August 22, 2016.

/s/Randy Bosch Chairperson

Attest:/s/Jen Smit County Auditor

Motion by Peters, second by Behrens to set the public hearing date of September 12, 2016 at 9:15 a.m. Rollcall vote: District 1-support, District 2-support, District 3-support, District 4-support, and District 5-support. Motion carried.

Sheriff's quarterly report was reviewed and approved.

At 9:50 a.m. Dennis Hilbrands was present to voice concerns regarding the forestry head and the way debris is being left in the ditches. Hilbrands had questions regarding whether or not training was given to operators, the planned route of the forestry head, and the debris removal policy. Hilbrands likened the aftermath of the forestry head to that of what a tornado would leave behind. Pictures that were taken this last weekend of some of the sites showed trees that were topped off and mangled with large debris left in the right of way. The Board thanked Hilbrands for voicing his concerns regarding the new machine and apologized for the way his right of way and others were affected.

County Engineer Laura Sievers joined the meeting and asked for the Board's opinion regarding the forestry head. The Board was in agreement that the way the sites were left is embarrassing. The company needs to be contacted for training and the machine should be parked until the training is done. The debris by the First Presbyterian Church needs to be cleaned up as soon as possible as well.

Engineer Sievers needs approval and signature on State assurance and testing costs regarding the K40 PCC project STP-S-C060(88)-5E-60. Motion by Michael, second by Koedam to approve and have Chairman sign agreement. Motion carried.

Sievers had the bid letting for bridge projects L-(64W)-73-60 and L-(66W)-73-60. These are two bridges over Emery Creek (64W on 220th and 66W on Ibex Avenue). There were six bidders on 64W: Chistensen Bros., Inc. \$224,440; Prahm Construction \$249,239.60; Nelson & Rock Contracting, Inc. \$257,622; Dixon Construction Co. \$265,486; Duininck, Inc. \$308,026; and Graves Construction Co., Inc. \$323,505.40. There were 6 bidders on 66W: Christensen Bros., Inc. \$226,937.50; Prahm Construction \$252,686.10; Nelson & Rock Contracting, Inc. \$261,719; Dixon Construction Co. \$264,733.50; Duininck, Inc. \$307,522; and Graves Construction Co., Inc. \$318,028.95. Motion by Behrens, second by Peters to approve and sign low bid contracts with Christensen Bros, Inc. for 64W at \$224,440 and 66W at \$226,937.50. Motion carried.

Arie Bliek asked to talk to the Board regarding a change to the CSR's of one of his properties. Bliek was told that the CSR's are set by the State and

not something that the County can change. The Board did not disagree that the increase to the CSR's seems odd, but again stated that CSR's are not set by the County.

Auditor Smit informed the Board that the rate per hour paid to Sanford Hospital for a RN Transfer will increase as of September 1, 2016. The agreement rate will increase to \$25.65/hour from \$25/hr.

Chairman Bosch introduced Resolution 2016-28 in support of departments making application to the Lyon County Riverboat Foundation grant cycle ending September 6, 2016.

# COUNTY OF LYON, IOWA RESOLUTION 2016-28

A RESOLUTION OF THE BOARD OF SUPERVISORS OF LYON COUNTY, IOWA APPROVING THE APPLICATION(S) FOR THE PURPOSE OF RECEIVING BENEFITS FROM THE LYON COUNTY RIVERBOAT FOUNDATION.

WHERAS, the Lyon County Riverboat Foundation has grant funds available that target Community Development and Beautification, Economic Development, Education and Arts, Human and Social Needs, and

WHEREAS, the Lyon County Riverboat Foundation has a grant application cycle that ends September 6, 2016 and

WHEREAS, the County of Lyon is supportive of these targets for improvements to the community and County, and

WHEREAS, one or more applications from the County of Lyon, and/or from organizations with projects that will take place on county property, will be submitted to the Lyon County Riverboat Foundation by the September 6, 2016, deadline,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Lyon County, Iowa that the County of Lyon authorizes the following grant applications to be submitted to the Lyon County Riverboat Foundation for the September 6, 2016, application cycle:

- 1. Lyon County Economic Development Lyon County Career Exploration Day
  \$3,000
- 2. Lyon County Sheriff's Office 11 AED's (\$16,164.25), Storm Operator First Aid Kits (\$1,658.39), and a K-9 Emergency Cool Guard Alarm (\$4,942) \$22,764.64; requesting \$17,764.64
- 3. Lyon County Ambulance Service 2017 Ford E450 Type 3 Gen 2 Ambulance (\$139,400), Stryker Power Load System (\$28,000), and Lifepak 15 Defibrillator (\$22,532.40) \$189,532.40; requesting \$89,532.40.
- 4. Lyon County Veteran Affairs Honor Flight trip for 12 Veterans \$10,000

Passed and adopted this  $22^{nd}$  day of August, 2016.

ATTEST: /s/Jen Smit
County Auditor

/s/Randy Bosch Chairman, Lyon County Board of Supervisors Motion by Michael, second by Behrens to approve and have Chairman sign Resolution 2016-28. Motion carried.

A Class C liquor license with Sunday sales and outdoor service was submitted by Calico Skies Vineyard and Winery. Motion by Michael, second by Koedam to approve and have Chairman sign Calico Skies Vineyard and Winery liquor license. Motion carried.

Motion by Peters, second by Behrens to approve and have Chairman sign the courthouse and public building security committee report. Motion carried.

It was decided by the Board that the safety director salary should be paid from department 99.

Auditor Smit proposed creating an IT Director or IT Liaison position. As Sara Sprock has been serving in this position for roughly 2 years, Smit proposed appointing Sprock for the position. As the County continues to strive to ensure their servers and systems are working efficiently, Sprock has taken on the responsibilities of the position. Smit would like to give Sprock a yearly amount for the work she does. The Board discussed the proposition and tabled a decision until a later meeting.

The south mural on the third floor is starting to let loose from the wall. An artist that specializes in mural restoration was contacted by Auditor Smit to gain advice on what to do. Smit will send pictures of the mural to the artist and relay the advice to the buildings and grounds committee.

The Board discussed the improvement plans proposed by Baker Group at the 8-8-2016 meeting. It was decided that the courthouse mildew issues need prompt attention and the Board needs to move on the decision of how to best remedy the air circulation issue. Motion by Peters, second by Behrens to approve a detailed audit of the courthouse and annex from Baker Group. Motion carried. Smit will contact the Baker Group to see that the audits get started as soon as possible. Baker Group had estimated that the audit would be at a cost of \$.20 per square foot. The square footage used by Baker Group was 15,587 for the courthouse (\$3,117.40) and 10,554 for the annex (\$2,110.80) for a rough estimate cost of \$5,228.80.

The Board brought back the discussion of bonding for infrastructure needs. Peters will check with Engineer Sievers to see if a priority list of projects or dollars has been created. The Board wants to keep this discussion moving as it will need to be decided whether or not this happens for the next budgeting cycle.

Supervisor correspondence: <u>Behrens</u>: Landfill, Northwest IA Rural Housing Authority, and Crisis Services; <u>Koedam</u>: NWIA Planning and Regional transit; Michael: Conservation; Peters-YES Center.

Handwritten claim dated 8-9-2016 in the amount of \$13,318.90 was reviewed and approved. Check sequence #123440.

Wellmark BlueCross BlueShield 8-1-16 to 8-5-16 Claims 13318.90

Conservation claims dated 8-9-2016 in the amount of \$12,424.61 were reviewed and approved. Check sequence #123441-123472.

General Basic Fund 10,875.86 CS Projects & Acq Fund 1,548.75

Veteran Affairs claims dated 8-11-2016 in the amount of \$811.50 were reviewed and approved. Check sequence #123473-123483.

Jared Ageson	Mileage (104) Dist Mtg	52.00
American Legion Post #103 c/o	Grave Markers: Case 0016	374.45
Jerry M. Baatz	Mileage (20) Aug Mtg	10.00
Doon Press	Advertising	32.00
Focus Newspaper	Advertising	56.00
Doug Hilbrands	Mileage (30) Aug Mtg	15.00
Little Rock Free Lance	Advertising	16.00
Lyon County News	Advertising	69.70
New Century Press	Advertising	72.00
Premier Communications	Office Phone	89.35
Veterans Information Service	Education	25.00

## Grand Total

General Basic Fund 811.50

Payroll dated 8-15-2016 was reviewed and approved.

Payroll Warrant Register in the amount of \$72,874.71 is listed by fund.

General Basic	Fund		10,600.69
Rural Service	Basic	Fund	19,432.77
Secondary Road	d Fund		42,841.25

Payroll Disbursement Register in the amount of \$37,588.89 is listed by Fund.

General Basic Fund	4,556.39
General Supplemental Fund	4,086.00
Rural Services Basic Fund	9,454.78
Secondary Road Fund	19,491.72

Handwritten claim dated 8-16-2016 in the amount of \$21,292.68 was reviewed and approved. Check sequence #123550.

Wellmark BlueCross BlueShield	8/6/16-8/12/16 Claims	21292.68
Grand Total		21292.68

Health Insurance Fund 21,292.68

Claims dated 8-22-2016 in the amount of \$316,146.96 were reviewed and approved. Check sequence #123551-123651.

A & B Business Solutions	Samsung contract	140.93
Advanced Systems, Inc.	Copy Maint, Copy Overage	110.13
Ahlers & Cooney, P.C. Attn: Ac	Legal Services thru 7-19-	126.00
Alliance Communications Attn:	Aug 911 Monthly Recurring	300.00
Alliant Energy	GE/LR shop	157.95
Arrow Manufacturing, Inc.	Whelen Light Lens/Bulb A-	74.40
AT & T	911 Recurring 712-233-001	41.45
Boyer Trucks	radiator #15, labor	4490.79
Butler Machinery Company	turbo, water pump, labor	4560.92
Campbell Supply	Parts, supplies, Amine	456.97
Canon Financial Services Inc.	Canon contract	268.00
City of Alvord	utilities	48.50
City of George	utilities	65.25
City of Rock Rapids City Offic	Room Rent, utility asst	139.88
Coast to Coast Solutions	Evidence Bags, Tape, Gloves	205.55
Cooperative Energy Company	12,439 G diesel,gasohol,	
	Oil, tire repairs, service	28469.80
Cooperative Farmers Elevator	180.5 G Gasahol, service	589.96
Corner Rexall Drugs	Actidose & Aspirin	50.49
Denekas Electric Inc.	Replace Ballast-ANX, bulbs	295.76
DGR Engineering	DakotaAccess Inspect thru	5092.36
Dollar General-Regions 410526	GGK Training Supplies	90.45
Doon Press	Brd Min, Ads, notices, reports	659.74
Driesen Eye Center	Medical Assistance - Lens	90.00

Equipment Dlades Inc	abana arratam bladas #60	900.00
Equipment Blades Inc. ESRI	sharq system blades #62 ArcGIS Nov2016-Nov2017	2200.00
		180.64
Frontier	Aug 911 Recurring	
George Office Products	Mileage Bks, toner, supplies	620.80
Hillyard / Sioux Falls	Rack for Supplies	47.94
Iowa County Attorney Ass'n.	Registration VW 10/6/16	65.00
Iowa HSEMD Attn: Beth Lewis	Registration 10/12-10/13	145.00
ISAC	Fall School 11/30-12/2, dues	950.00
Jack's Uniforms & Equipment	Uniforms for Jail - Dean	108.34
JCL Solutions-Janitors Closet	Dishwasher Detergent/Rins	244.26
Jim Hawk Tr Trailers Inc.	airline hoses #121	121.18
Carrie Johnson	8/9/16 Mileage Spencer/14	72.00
JRT Focus Farm	Fill Well	185.00
LeLoux Diversified Evan J. LeL	Open Drain Annex H.BathRm	95.00
Lewis Family Drug, LLC	RX Assistance	199.25
Little Rock Free Lance	Ad Well funds, Interpreter	48.00
Lyon County Clerk of Court	Filing Fee Small Claims	85.00
Lyon County News	Ad re: Well funds availab	61.50
Lyon County Sheriff Dept.	Sheriff Fees	355.76
Lyon Rural Electric Coop	utilities -Lester / LR shop	116.25
MidAmerican Energy	Alv / IW Shop	99.94
Midwest Card and ID Solutions	Plastic Cards/New WeaponP	118.36
Minnehaha County Sheriff Dept.	Civil Service Juvenile	22.00
Moon Creek Veterinary Clinic	July Medications - Athos	70.92
Myrl & Roy's Paving Inc.	26.14T backfill, 40.29T RRBall	618.26
Colette Nath	8/11/16 Mileage (535) Ames	267.50
New Century Press	7/25/16 Brd Minutes	204.85
Northern Iowa Construction Pro	18" CMP, 18" Bands	9052.56
Oak Street Station	July Fuel, tire rep, service	463.71
OakLeaf Property Management	Rental Assistance	200.00
Osceola County Rural Water	water - Little Rock shop	35.40
P & K Pest Control Inc	7/29/16 Bi-Monthly Spray/	40.00
Plymouth County Landfill	48" band	95.00
Prahm Construction Inc.	Bridge 14Y,12W,3Y Estimates	237093.89
Premier Bank Premier Network Solutions d/b/	8/10/16 Deposit Slips Tre	135.00
	HP2920 Network Switch/Wif	1500.00
Rapid Auto Repair Michael D. K	Replace L Manifold Exh Le	254.88
RELX Inc DBA LexisNexis	July on-line periodical Fill Cistern	141.20
RGH Properties LLC		300.00
Rock Rapids Ace Hardware Sanford Medical Center RR	Supplies & Bug Spray	77.52 1177.55
Sanford Medical Center RK Sanford USD Medical Center	June Hospital Coalition C 7/18/16 Defib Supplies Am	30.40
Sioux Falls Two Way Radio	3 Minkota Pagers RR Fire	1334.98
<b>-</b>	wrenches - RR shop	349.45
Snap On Tools Solutions, Inc.	8/8/16-8/7/17 AS400 Maint	2446.20
Amy Stoner	8/9/16 Aug Fuel - 10 Gall	20.00
Sturdevant's Auto Parts	belt for air handler/anne	17.81
Sunshine Foods	Office Supplies	179.58
Pamela R. Tille	Reimb: Walmart HDMI Cable	26.73
Trane	Aug Generator Maint Agree	331.93
US Bank - Purchase Card Purcha	Fuel, supplies, lodging, regs	4162.36
Jared VanEngen	steel toe shoes	180.00
Verizon Business	acvct 4512330	4.96
Verizon Wireless	cellphs, aircards patrol	1767.82
Grand Total	correction, arroards pactor	316146.96
010110 10001		210110.50

Rural Services Basic Fund	1,417.30
Economic Development Fund	-9.55
Secondary Road Fund	287,827.90
Surcharge on E911	1,849.48
Development Project Fund	75.00
Emergency Management Services	343.81
Co. Assessor Agency Fund	1,733.30

There being no further business there was a motion by Michael, seconded by Peters to adjourn. Motion carried.

ATTEST	APPROVED	
County Auditor	Chairman	